

REMARKS

Favorable reconsideration of this patent application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-33 have been rejected as being indefinite under 35 USC 112; Claims 1-4, 8-10, 23-26, and 30-32 have been rejected as being anticipated by Janusz under 35 USC 102; Claims 1-6, 8, 9, 11, 23-28, 30, 32, and 33 have been rejected as being unpatentable over Hsu in view of Janusz under 35 USC 103; Claims 7 and 29 have been rejected as being unpatentable over Janusz in view of Armstrong under 35 USC 103; Claims 12-15 and 19-22 have been rejected as being unpatentable over Janusz in view of Lovisek under 35 USC 103; Claims 12-17, 19, 21, and 22 have been rejected as being unpatentable over Hsu in view of Janusz and Lovisek under 35 USC 103; and Claim 12 has been rejected as being unpatentable over Janusz in view of Lovisek and Armstrong under 35 USC 103. Claims 1, 12, and

23 have been cancelled, Claims 34-39 have been inserted, and consequently, Claims 2-11,13-22, and 24-39 are now active in this patent application.

It is reiterated to the Examiner that the present invention comprises a threaded fastener which comprises several unique features or characteristics which, when effectively taken together in a composite manner, enables the threaded fastener of the present invention to be used for insertion within diverse types of substrates comprising wood, metal, thermoplastics, composite materials, concrete, and hard aggregate. More particularly, the threaded fastener comprises a substantially continuous single helical thread wherein individual thread portions of the helical thread comprises pointed crest portions defining a circumferentially extending linear locus which is formed by upper and lower flank surfaces of the helical thread intersecting each other at a predetermined included angle, and wherein further, a plurality of saw blade teeth are formed upon peripheral edge portions of the pointed crest portions of the individual thread portions of the helical thread so as to extend contin-

uously and contiguously, in adjacent contact with one another, around the entire circumferential extent of the fastener.

Considering then the various prior art cited by the Examiner, it is submitted that none of the prior art anticipates or renders obvious the claimed invention when taken or considered solely or in combination. More particularly, for example, it is noted that in Janusz, the teeth 48 are not disposed in a continuous and contiguous array around the circumference of the fastener. It is noted to the examiner that the original claims recited the contiguous array of teeth - contiguous being defined as being in contact with each other. The claims now recite clearly and specifically that the teeth are disposed contiguously, that is, being disposed in adjacent contact with each other, and therefore it is respectfully submitted that the claims clearly define over Janusz.

Continuing further, it is noted that, as can best be appreciated from **FIGURE 2** of Janusz, the crest portions of

the threads 40 and 42 are not pointed but flattened in that the upper and lower flank surfaces do not actually intersect each other - only the extensions or planes of the surfaces intersect each other at a location remote or removed from the threads per se. This is similarly the case with Hsu as can clearly be appreciated from FIGURES 2 and 3. All of these differences then, between the toothed arrays of the fastener of the present invention, as compared to the fasteners of Janusz and Hsu, in fact enable the fastener of the present invention to be utilized in connection with the noted diverse materials whereas the fasteners of Hsu and Janusz are not so universally useable. Continuing further, and in particular, considering Armstrong, while each of the valleys may have a predetermined value as noted by the examiner, it is again noted that there is no teaching of a continuous and contiguous array of the teeth around the circumferential extent of the fastener. Still further, it is additionally submitted that the various teachings of the different prior art fasteners cannot be simply combined or substituted from one fastener to another, simply to meet the claimed recitations of the present invention, because such combinations or substitutions would alter the basic structure, and therefore the operations, of the prior art fasteners which is not permitted

in accordance with current patent practice. It is therefore respectfully submitted still further that, in accordance with the foregoing, the claimed structure of the present invention patentably defines over all of the cited prior art of record.

It is lastly noted that the claims have been corrected so as to eliminate the indefiniteness noted by the examiner, and therefore it is respectfully submitted that the rejection of the claims under 35 USC 112 should be withdrawn.

In light of the foregoing, it is submitted that this patent application is now in condition for allowance, and an early and favorable action to this effect is now anticipated and awaited.

It is lastly noted that this amendment is being filed within a period of one month beyond the normal response

due date, and therefore, the Office is authorized to charge
Deposit Account 23-0818 in the amount of \$110.00 for a one
(1) month extension of time which is hereby respectfully re-
quested.

Respectfully Submitted,
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